

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11598-WGY

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF BOSTON, MASSACHUSETTS;
THOMAS M. MENINO, in his
official capacity as Mayor of
the City of Boston; BOSTON
CITY COUNCIL; MICHAEL F.
FLAHERTY, PAUL J. SCAPICCHIO,
JAMES M. KELLY, MAUREEN E.
FEENEY, CHARLES C. YANCY, ROB
CONSALVO, JOHN TOBIN, CHUCK
TURNER, MICHAEL P. ROSS, JERRY
P. MCDERMOTT, FELIX D. ARROYO,
MAURA HENNIGAN, STEPHEN J.
MURPHY; BOSTON ELECTION
DEPARTMENT; GERALDINE CUDDYER,
in her official capacity as
Chair of the Boston Election
Department; SECRETARY OF THE
COMMONWEALTH OF MASSACHUSETTS,

Defendants.

CITY OF BOSTON DEFENDANTS' CERTIFICATION PURSUANT TO LOCAL
RULE 7.1(A)(2)

Pursuant to L.R. D. Mass. 7.1(A)(2), I hereby certify that on September 12, 2007, as counsel for the Defendants, City of Boston, I communicated with Peter Saks, counsel for the Secretary of the Commonwealth, in an attempt to resolve or narrow the issues presented in *City of Boston Defendants' Motion to Dismiss Intervenor Defendant Secretary of the Commonwealth's Cross-claims* but counsel have been unable to reach agreement.

/s/ Mark Sweeney

Mark Sweeney

Respectfully submitted,

DEFENDANTS, CITY OF BOSTON AND
THOMAS M. MENINO

By their attorneys:

William F. Sinnott
Corporation Counsel

/s/ Sean P. Nehill
Sean P. Nehill, BBO #665738
Assistant Corporation Counsel
Mark Sweeney, BBO #490160
First Assistant Corporation Counsel
City of Boston Law Department
Room 615, City Hall
Boston, MA 02201
(617) 635-4049 (Nehill)
(617) 635-4040 (Sweeney)

DATE: September 12, 2007